IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE.
CRIMINAL APPLICATION NO. 1878 OF 2005

Smt. Sima Roy & ors ...Applicant
versus

The State of Maharashtra and anr. ...Respondent.

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Shri R.Satyanarayanan for the applicant.
Shri G.S.Hegde & Milind Kamble for Respdt. no.2.
Shri A.M.Shringarpure APP for State.

CORAM; V.G. PALSHIKAR, J.

DTAED; 16TH JUNE, 2005.

P.C.

1. By this petition, the petitioners seek to quash the complaint filed under section 406, 420 etc. of IPC. During the pendency of the complaint bailable warrants have been issued against the accused persons for their presence in the court. It is averred in the petition that the accused are respectable persons and have no intention to dishonour any order passed by the court. No fruitful purpose will be served by making any order in relation to the quashing of the complaint itself. The applicants/petitioners are ready to withdraw the petition. However, they have a greivance regarding the bailable warrants issued for their presence.

2. Interest of justice would be met if the learned Magistrate is directed not to execute the bailable warrants issued against the applicants who will appear before the learned Magistrate within six months on a date to be fixed by the learned Magistrate and apply for exemption under section 205 of Cr.P.C., which application the learned Magistrate shall, as soon as possible, decide in accordance with the law. With these observations, the criminal application is disposed of. The petitioner shall have also the liberty of seeking discharge by applying under section 255 of Cr.P.C.

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